

REMARKS

This amendment is offered in response to the Office Action of July 24, 2003.

The Office Action has rejected Claim 1 under 35 U.S.C. §102(e) as anticipated by the Van Erden reference (U.S. Patent No. 6,327,837). Similarly, the Office Action has rejected Claims 2 and 3 under 35 U.S.C. §103(a) as obvious over the Van Erden reference in view of the Ouchi reference (U.S. Patent No. 6,068,585).

Both the Van Erden and Ouchi references disclose attaching zipper adjacent to one edge of a film, rather than a carrier web, in order to produce bags. This is a different process from attaching a zipper to a carrier web "to form a supply of carrier web with pre-positioned sections of zipper profile".

The Ouchi reference discloses attaching continuous separated zipper sections, each separately, to a top and bottom film, and then joins the zipper. This is totally different from attaching interlocked discrete zipper sections to a carrier web.

While the Van Erden reference discloses attaching discrete zipper section, these are attached to only one edge of a film by one flange. This too is quite different from attaching the zippers by first and second flanges to a carrier web.

Both the Ouchi and Van Erden references are directed at totally different methods of attaching zipper to film, and even when combined will not result in the presently claimed invention.

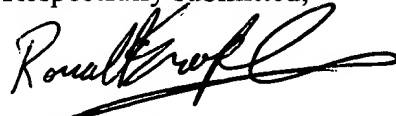
The claims have been amended herein to state that the zipper profile is provided with "said first and second interlocking profile elements being interlocked to each other" and that the attaching step relates to "discrete sections of said first and second flanges".

It is respectfully submitted that the presently pending claims are patentable over the cited references.

It is therefore respectfully submitted that all of the presently pending claims are patentable over the cited prior art.

In view of the above, it is respectfully submitted that the claims as herein are patentably distinguishable over the prior art and the application is now believed to be in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Brown", with a stylized flourish extending from the end.

Ronald E. Brown
Registration No. 32,200

Gerald Levy
Registration No. 24,419

Pitney, Hardin, Kipp & Szuch LLP
685 Third Avenue
New York, New York 10017
(212) 297-5800